

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PETRA RUSSELL,

Plaintiff,

v.

WADOT CAPITAL, INC., et al.,

Defendants.

CASE NO. C22-0531JLR

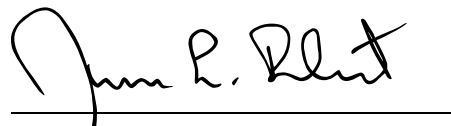
ORDER

Before the court is Patric Russell's motion for substitution pursuant to Federal Rule of Civil Procedure 25(a). (Mot. (Dkt. # 82).) Mr. Russell, the son of deceased Plaintiff Petra Russell, has been appointed administrator of Ms. Russell's estate and seeks to continue this case in that capacity. (*Id.* at 2; Russell Decl. (Dkt. # 83) ¶¶ 2-4.) None of the Defendants filed a response to Mr. Russell's motion. (*See generally* Dkt.) *See* Local Rules W.D. Wash. LCR 7(b)(2) ("Except for motions for summary judgment, if a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit."). The court GRANTS Mr. Russell's motion

1 for substitution (Dkt. # 82). Mr. Russell shall file, by no later than **January 23, 2024**, a
2 third amended complaint that names Mr. Russell as Plaintiff as administrator of the Estate
3 of Petra Russell and as successor to Ms. Russell. Leave to amend is strictly limited to
4 those amendments necessary to reflect Mr. Russell's substitution as Plaintiff.

5 The court entered a stay in this matter on September 21, 2023, after it learned of
6 Ms. Russell's passing. (9/21/23 Order (Dkt. # 78).) On November 20, 2023, the court
7 extended the stay through January 26, 2024; vacated the February 26, 2024 trial date; and
8 informed the parties that it would issue a new pretrial schedule that resets the deadlines
9 that had not yet expired when the stay went into effect after it decided Mr. Russell's
10 motion for substitution. (11/20/23 Min. Order (Dkt. # 81).) Thus, the court DIRECTS
11 the parties to file, by no later than **January 23, 2024**, a joint report that sets forth the
12 dates between July 29, 2024, and July 31, 2025, on which trial counsel may have
13 complications to be considered when setting a trial date.

14 Dated this 9th day of January, 2024.

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17 JAMES L. ROBART
18 United States District Judge
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